

AMENDMENT UNDER 37 C.F.R. § 1.116
APPLICATION NO. 09/437,246
ATTORNEY DOCKET NO. Q56708

REMARKS

General remarks.

Substance of Personal Interview.

Applicant respectfully thanks the Examiner for participating in the interview conducted by Applicant's representative on December 3, 2002, as indicated in the Interview Summary (Paper No. 33). Applicant notes that the unchecked block on the Interview Summary requires Applicant to provide a separate record to the substance of the interview.

In the interview, Applicant presented arguments as to the lack of any teaching or suggestion in Nagasaki of a film, as to the non-combinability of Nagasaki with Shinada, as to the reasons claim 53 should be allowed, and as to the manner in which claim 54 patentably distinguishes over the Nagasaki reference.

Status of Claims.

Claims 4, 8, 9, 26, 28, 33, 35, 45, 48, 49, and 52 are canceled. New claims 55-61 are added (all of which were previously dependent claims already pending). Therefore, claims 1, 5-7, 10-25, 27, 29-32, 34, 36-44, 46, 47, 50, 51, and 53-61 are all the claims now pending in the application.

Several claims, previously indicated by the Examiner as being objected to only as depending from a rejected independent claim, have been rewritten in independent form to include all of the limitations of the base claim and any intervening claims. The following table explains the manner in which these claims have been rewritten / renumbered.

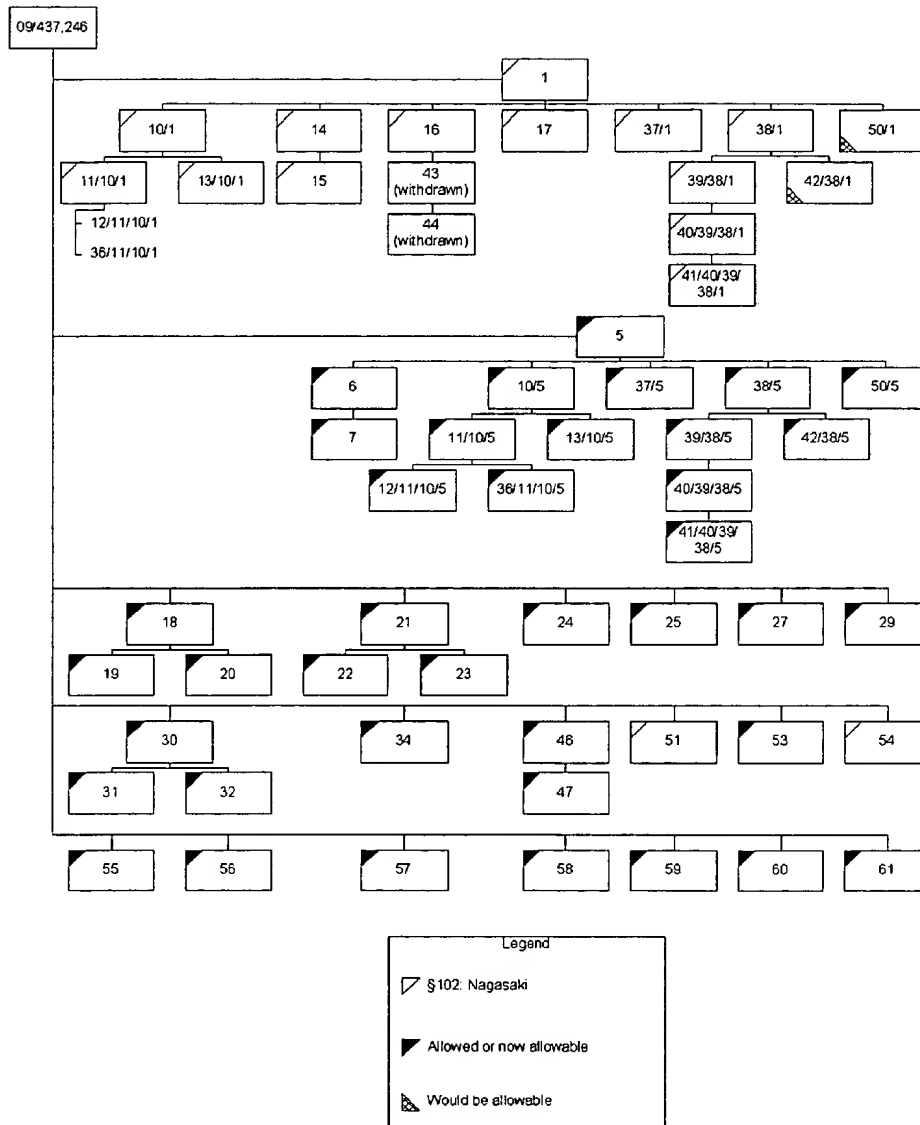
Before Amendment	After Amendment
18	Rewritten in independent form
24	Rewritten in independent form
25	Rewritten in independent form
34/33/8	Rewritten in independent form
34/33/9	Rewritten in independent form as claim 61
42/38/4	Rewritten in independent form as claim 55

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42/38/8	Rewritten in independent form as claim 56
42/38/9	Rewritten in independent form as claim 57
50/4	Rewritten in independent form as claim 58
50/8	Rewritten in independent form as claim 59
50/9	Rewritten in independent form as claim 60

The status of the claims is indicated in the following chart:

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Formal matters.

The Examiner made an objection to claims 2 and 3, indicating that they have not been explicitly cancelled. In Applicant's response of May 28, 2002, Applicant canceled these claims (see page 1 and page 26 of that response). If the response of May 28, 2002, was unclear, then

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Applicant respectfully requests the Examiner to consider this present response as an explicit request to cancel claims 2 and 3, without prejudice or disclaimer.

The Examiner indicated some informalities in claim 54, which are corrected in a self-explanatory manner. Applicant respectfully draws the attention of the Examiner to the amendments to claim 54 shown in the Appendix, and respectfully requests the Examiner to withdraw this objection in view thereof.

The prior art rejection of claim 1.

The Examiner rejected claim 1 as being anticipated by Nagasaki. Nagasaki, however, does not include the required sealing film. The plate of Nagasaki is not a sealing film.

The Examiner has said that some devices have films which can be pierced by objects that are not sharp. For example, a juice box has a foil seal that can be pierced by a blunt straw.

The example of a juice box, however, does not involve a cartridge that has a valve mechanism for selectively opening and closing an ink channel. The film in the invention defined by claim 1 not only seals the opening of the ink supply port, but also prevents the packing member from coming out of the ink supply port. Thus, the construction and assembly of the cartridge does not have to be so precise. Even when the assembly of the valve and other parts is not perfect, the sealing film surely keeps the ink from coming out.

Other ink cartridges rely completely on the sealing film because they have no valve mechanism that opens and closes the ink channel, or instead rely completely on the valve for perfect sealing. The subject matter of claim 1 defines a new and novel cartridge with a valve as set forth in the claim, and also a sealing film.

Furthermore, the sealing film seals the external opening "until the ink supply needle penetrates into the ink supply port."

In view of all the foregoing distinguishing features, Applicant respectfully submits that claim 1 patentably distinguishes over Nagasaki, and would also patentably distinguish over even the combined teachings of Nagasaki in view of Shinada. Therefore, Applicant respectfully

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requests the Examiner to withdraw this rejection of independent claim 1 and its dependent claims.

Independent claim 51.

Independent claim 51 has been amended in the manner discussed during the interview. For the reasons pointed out at that time, Applicant respectfully submits that the prior art Nagasaki reference does not meet the newly-added requirement of claim 51, taken together with all the other limitations of the claim. Applicant therefore respectfully requests the Examiner to withdraw the prior art rejection of independent claim 51.

Independent claim 54.

Applicant has amended claim 54 to require:

said packing member has a surface slanting at a certain angle substantially the same as a tapered angle of the ink supply needle, said slanting surface of said packing member being disposed in the vicinity of where said packing member contacts said valve device.

Along with the foregoing feature, as for opening and closing an ink channel, a space defined by the valve device, the packing member, and the ink supply needle is small, so that the claimed invention performs the opening of the ink channel at almost the same timing (but soon after) an ink sealing is established between the ink supply needle and the packing member.

The Nagasaki reference does not meet this requirement, and Applicant finds in the prior art references no such teaching or suggestion. Therefore, Applicant respectfully requests the Examiner to withdraw this rejection of independent claim 54.

Conclusion and request for telephone interview.


In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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